

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CIVIL CASE NO. 1:11cv120

JEFFERY M. DOVER,)	
)	
Plaintiff,)	
)	
vs.)	<u>O R D E R</u>
)	
MICHAEL J. ASTRUE,)	
Commissioner of Social Security)	
)	
Defendant.)	
)	

THIS MATTER is before the Court on the parties' cross Motions for Summary Judgment [Docs. 10 and 14]; the Magistrate Judge's Memorandum and Recommendation [Doc. 16] regarding the disposition of those motions; and the Plaintiff's Objections to the Memorandum and Recommendation [Doc. 17].

After careful consideration of the Magistrate Judge's Recommendation [Doc. 16] and the Plaintiff's Objections thereto [Doc. 17], the Court finds that the Magistrate Judge's proposed findings of fact are correct and that his proposed conclusions of law are consistent with current case law. Accordingly, the Court hereby overrules the Plaintiff's Objections and accepts

the Magistrate Judge's Recommendation that the Commissioner's decision in this case be affirmed.

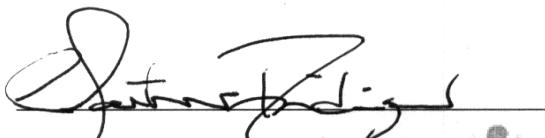
IT IS, THEREFORE, ORDERED that the Plaintiff's Objections to the Memorandum and Recommendation [Doc. 17] are **OVERRULED** and the Magistrate Judge's Memorandum and Recommendation [Doc. 16] is hereby **ACCEPTED**.

IT IS FURTHER ORDERED that, for the reasons stated in the Memorandum and Recommendation, the Defendant's Motion for Summary Judgment [Doc. 14] is **GRANTED**; the Plaintiff's Motion for Summary Judgment [Doc. 10] is **DENIED**; and the decision of the Commissioner is **AFFIRMED**. This case is hereby **DISMISSED**.

A judgment shall be entered simultaneously herewith.

IT IS SO ORDERED.

Signed: April 24, 2012



Martin Reidinger
United States District Judge

